	Application No.	Applicant(s)
Notice of Allowability	09/671,770	BLANDY ET AL.
	Examiner	Art Unit	
	Syed J Ali	2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the appeal brief filed September 30, 2004*.

2. ☒ The allowed claim(s) is/are *1, 3-7, 11, 13-17, 21, and 23-27, renumbered as claims 1-18*.

3. ☒ The drawings filed on *27 November 2000* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None   of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a)☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1)☐ hereto or 2)☐ to Paper No./Mail Date _____ .

    (b)☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date *8/23/04; 9/14/04*

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .
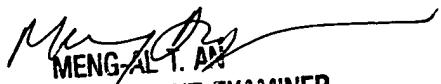
MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
2100

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone interview with Francis Lammes (Reg. No. 55,353) on December 15, 2004.

3.   **The application has been amended as follows:**

Replace claim 1 as follows:

1.   A method of calling a portion of computer code in a multithreaded environment, wherein the portion of computer code is a Java method having an associated method block including a field that includes a pointer that points to a Java Virtual Machine (JVM) interpreter before a Just-In-Time (JIT) compiler is loaded, points to a JIT compiler routing CompileThisMethod when the JIT compiler is loaded, and points to a routine which calls a compiled version of the method once the method is compiled by the JIT compiler, the method comprising:

       receiving a call to the portion of computer code;

       determining if the portion of computer code is currently being compiled based on information stored in fields of the method block; and

       redirecting the call to an interpreter, if the portion of computer code is currently being compiled.

Cancel claims 2 and 8-10.

Replace claim 11 as follows:

11.   An apparatus for calling a portion of computer code in a multithreaded environment, wherein the portion of computer code is a Java method having an associated method block including a field that includes a pointer that points to a Java Virtual Machine (JVM) interpreter before a Just-In-Time (JIT) compiler is loaded, points to a JIT compiler routing CompileThisMethod when the JIT compiler is loaded, and points to a routine which calls a compiled version of the method once the method is compiled by the JIT compiler, comprising:

  a processor;

  receiving means for receiving a call to the portion of computer code;

  first determination means for determining if the portion of computer code is currently being compiled based on information stored in fields of the method block; and

  first redirection means for redirecting the call to an interpreter, if the portion of computer code is currently being compiled.

Cancel claims 12 and 18-20.

Replace claim 21 as follows:

21.   A computer program product in a computer readable medium for calling a portion

of computer code in a multithreaded environment, wherein the portion of computer code

is a Java method having an associated method block including a field that includes a

pointer that points to a Java Virtual Machine (JVM) interpreter before a Just-In-Time

(JIT) compiler is loaded, points to a JIT compiler routing CompileThisMethod when the

JIT compiler is loaded, and points to a routine which calls a compiled version of the

method once the method is compiled by the JIT compiler, comprising:

first instructions for receiving a call to the portion of computer code;

second instructions for determining if the portion of computer code is currently

being compiled based on information stored in fields of the method block; and

third instructions for redirecting the call to an interpreter, if the portion of

computer code is currently being compiled.

Cancel claims 22 and 28-30.

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Syed J Ali whose telephone number is (571) 272-3769. The

examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai T An can be reached on (571) 272-3756. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Syed Ali
December 15, 2004

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